

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
LAREDO DIVISION

UNITED STATES OF AMERICA

§

VS.

CRIMINAL ACTION NO. 5:05-CR-2731-2

VICTOR MANUEL VALLES-VELAZQUEZ


ORDER

Defendant has filed a motion for a sentence reduction pursuant to Amendment 782 to the United States Sentencing Guidelines. For the following reason(s), Defendant's motion (Dkt. No. 141) is hereby **DENIED**:

- _____ Defendant's projected release date is prior to November 1, 2015. *See* U.S. SENTENCING GUIDELINES MANUAL §1B1.10(e)(1).
- _____ The Amendment does not lower Defendant's guideline range because of a controlling statutory minimum. *See id.* §5G1.1(b).
- X The low end of Defendant's amended guideline range is equal to or greater than the sentence Defendant received, and Defendant did not receive a downward departure based on substantial assistance to the Government. *See id.* §1B1.10(b)(2)(A)–(B).
- _____ The Amendment does not lower Defendant's guideline range based on the quantity of drugs used to calculate Defendant's original guideline range.
- _____ Defendant was not sentenced based on a guideline range calculated using the Drug Quantity Tables in §2D1.1 or §2D1.11.
- _____ The Court accepted the Government's recommendation for a two-level reduction in the form of a variance at the time of sentencing, pursuant to the Attorney General's Memorandum.

It is so **ORDERED**.

SIGNED this 6th day of February, 2015.


Marina Garcia Marmolejo
United States District Judge